

PATENT

Attorney Docket No. 81839

#7/A  
10/23/04

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
MICHAEL NIEDERWEIS ET AL.	)	
	)	
Serial No.: Unassigned	)	Group Art Unit: Unknown
	)	
Filed: Herewith	)	Examiner: Unknown
	)	
For: METHODS FOR THE	)	
PRODUCTION OF A CHANNEL-	)	
FORMING PROTEIN	)	

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Prior to examination of the above-identified patent application, please enter the amendment indicated below.

IN THE CLAIMS:

Please cancel claim 33 without prejudice or disclaimer of the subject matter thereof and please amend claims 1-5, 7-26, 32, 34-35 and 37-39 as follows:

1. (Amended) A Method for producing a channel-forming protein, found in gram-positive bacteria, wherein the channel-forming protein is obtained by
  - a) heterologous overexpression or
  - b) purification from mycobacteria, wherein the extraction temperature is higher than 50°C.